

“(ii) does not exceed the amount collected from State or local prisoners for the same services; and

“(C) the services—

“(i) are provided within or outside of the institution by a person who is licensed or certified under State law to provide health care services and who is operating within the scope of such license;

“(ii) constitute a health care visit within the meaning of section 4048(a)(4) of this title; and

“(iii) are not preventative health care services, emergency services, prenatal care, diagnosis or treatment of contagious diseases, mental health care, or substance abuse treatment.

“(2) NO REFUSAL OF TREATMENT FOR FINANCIAL REASONS.—Nothing in this subsection may be construed to permit any refusal of treatment to a prisoner on the basis that—

“(A) the account of the prisoner is insolvent; or

“(B) the prisoner is otherwise unable to pay a fee assessed under this subsection.”.

MOTION OFFERED BY MR. PEASE

Mr. PEASE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PEASE moves to strike out all after the enacting clause of the Senate bill, S. 704, and insert in lieu thereof the text of H.R. 1349, as passed the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1349) was laid on the table.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT AMENDMENTS

Mr. HUTCHINSON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1638) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

The Clerk read as follows:

S. 1638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF RETROACTIVE ELIGIBILITY DATES FOR FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR SPOUSES AND CHILDREN OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY.

(a) IN GENERAL.—Section 1216(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d-5(a)) is amended—

(1) by striking “May 1, 1992”, and inserting “January 1, 1978,”; and

(2) by striking “October 1, 1997,” and inserting “January 1, 1978.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect October 1, 1999.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

GENERAL LEAVE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1638, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of Senate bill 1638, a bill which will amend the Federal Law Enforcement Dependents Act of 1996. That act provides educational assistance to the dependents of Federal law enforcement officers and State and local public safety officers killed in the line of duty.

The Senate bill passed the Senate in May by unanimous consent. The identical House version of the bill, H.R. 2059, was introduced by the gentleman from New York (Mr. KING) on June 8 of 1999, and it was reported by voice vote from the Committee on the Judiciary on July 11 of this year. The bill has wide bipartisan support. And in the interest of ensuring that this important legislation is enacted into law at this late hour in the legislative session, we have taken up the Senate bill.

The Senate bill would amend the Federal Law Enforcement Dependents Assistance Act to extend the retroactive eligibility dates for financial assistance for higher education to the spouses and dependent children of Federal law enforcement officers and State and local public safety officers that were killed in the line of duty.

Current law provides that the dependents of Federal law enforcement officers killed in the line of duty on or after May 1, 1992, are eligible for this assistance. Dependents of State and local public safety officers killed in the line of duty on or after October 1, 1997 are also eligible. Unfortunately, the somewhat arbitrary choice for these dates has excluded some deserving dependents from participating in the program. This legislation will move the eligibility dates farther back in time in order to make them eligible. For Federal law enforcement officers and for State and local public safety officers, the new date will be January 1, 1978.

This important legislation is endorsed by the Department of Justice, the Fraternal Order of Police, and the Federal Law Enforcement Officers Association. Considering the sacrifices these brave officers make to protect us all, I think that the least we can do is to help their families get the kind of education that they might not otherwise be able to afford.

Mr. Speaker, I urge all my colleagues to support this very important piece of legislation.

Mr. Speaker, I reserve the balance of my time.

□ 1630

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1638. The bill is identical to the Judiciary-passed version of H.R. 2059. The bill amends the Federal Law Enforcement Dependents Assistance Act of 1996 to extend eligibility for financial assistance for higher education to spouses and dependent children to Federal, State, and local law enforcement officers killed in the line of duty.

Current law provides that the dependents of Federal law enforcement officers killed in the line of duty after May 1, 1992, are eligible for this assistance. Dependents of State and local police officers killed in the line of duty after October 1, 1997, are also eligible.

This legislation would change the date to January 1, 1978, for Federal law enforcement officers and State and local public safety officers. This is an appropriate and cost-effective change in the law, given the modest cost projections of the program.

For example, less than \$50,000 was spent under the program last year; and projections even under the longer eligibility periods remain modest, totaling about 24 million over the next 10 years.

Mr. Speaker, I am aware of no opposition to the bill and consider it to be a reasonable and worthy way to honor the memory and contributions of slain law enforcement officials and other public safety officers and to assist their families. I, therefore, urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING), who has been the author of the House version of this legislation.

Mr. KING. Mr. Speaker, I thank the gentleman from Arkansas for yielding me the time. I certainly thank him for his cooperation and support in expediting the passage of this bill.

I also want to, Mr. Speaker, give a special debt of thanks to the gentleman from Michigan (Mr. STUPAK), himself a former police officer, for the yeoman's job that he has done in making this a truly bipartisan effort and for giving up so much of his time and effort. And also words of thanks are due to the gentlewoman from New York (Mrs. KELLY), who actually was very instrumental in the passage of the initial legislation 2 years ago which this bill today is amending. She certainly deserves credit.

I also want to thank the Committee on the Judiciary for acting in such a bipartisan way. Also, I want to commend Kevin Horan of my staff for the great job that he has done in moving this bill along.

Mr. Speaker, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Virginia (Mr. SCOTT) have detailed exactly what this bill is about. I just think it is absolutely essential that we pass this legislation.

My father was a former New York City police officer for more than 30 years. I have known many police officers. I also, unfortunately, have known police officers and families of police officers who have been killed in the line of duty, who have been permanently disabled. And while there is nothing we can do to make those families whole, there is nothing we can do to take away their grief and suffering, the fact is that this is a step in the right direction. It ameliorates some of that suffering.

It also, probably just as importantly, shows that our country as a whole wants to acknowledge the debt that we owe to these men and women for the sacrifice and suffering that they have gone through. It is a way of we, as a Nation, telling what we are really all about and acknowledging the men and women who are on the front lines, who are protecting us day in and day out, who are putting their lives and limbs on the line for us so that we can enjoy a safe and prosperous life in this country.

So this is a bill which is very instrumental in, I believe, acknowledging the debt we owe to these people. It is also very important in showing where we as a country stand. It also shows that we, in a bipartisan fashion, can acknowledge the work that has been done by the police officers of this country and also give a little bit of respite, a little bit of solace, and a little bit of peace to the families of those who have suffered so much.

Mr. SCOTT. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK), a former law enforcement official, who is a strong supporter of law enforcement.

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is great to see legislation come to the floor like this in a bipartisan manner. I remember when I came here in 1993, there was no law enforcement caucus. We founded a law enforcement caucus. We have been able to set up a bipartisan team that is constantly working on legislation to improve the lives for law enforcement and their families throughout this Nation.

We began in 1996 by making the bill available so that if Federal law enforcement officers were killed in the line of duty, the educational benefits for their spouses and their children would be taken care of.

Then again in 1998 we added State and local law enforcement. And now here we are in the year 2000 to really correct some inequities that have been found in all the laws that we have put

together. But none of this could happen unless we all work together.

The gentleman from New York (Mr. KING) and I introduced this bill back in June of 1999. It was H.R. 2059. The Senate has moved quickly, so we are glad to substitute our bill for their bill just so we can get this passed in the waning days here of the 106th Congress.

The gentlewoman from New York (Mrs. KELLY), the gentleman from Virginia (Mr. SCOTT), the gentleman from New York (Mr. KING), the gentleman from Arkansas (Mr. HUTCHINSON), we are all part of the law enforcement caucus. There are about 69 or 70 Members who work together to try to not only take care of personal needs like this, whether it is buying bulletproof vests or trying to make sure that the voices of law enforcement are heard here in the United States Congress.

As it has been said, the necessity for this legislation is because we have different eligibility dates for both Federal and State officers. And so what we are doing is really making the legislation actually move the eligibility dates back further in time to make more dependents eligible for this benefit. It will now go to January 1, 1978. And also, at the same time, Federal, State, and local public safety officers are included in this legislation. And we will take a look at the costs.

One of the big concerns in 1996 when we started the program was what would the cost be to the Federal Treasury. We have seen in 1999 just based upon educational benefits to officers' survivors who were killed in the line of duty was only around some \$44,000. And as the gentleman from Virginia (Mr. SCOTT) says, even in the next 10 years, at most if everyone took advantage of it, it would be about \$24 million.

So as a law enforcement officer and as a Member of this body, I thank everyone who has helped in this legislation, who has helped us through the years to make the law enforcement caucus a success. We have to be there for the families that every day they love and support the men and women who serve as law enforcement officers of this country. These families deserve our support when the unthinkable happens and their loved one is struck down. We have to look out for them just as their husbands, their wives, their mothers, their fathers look out for us each and every day, risking their commitments to their family for the greater commitment that they have made to this great Nation.

With that I thank all of my colleagues for moving this legislation forward. I thank them for their cooperation that we have enjoyed in the last few years and look forward to continuing to work with them on measures affecting law enforcement.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs.

KELLY), who has been an extraordinary fighter for this legislation even prior to this Congress.

Mrs. KELLY. Mr. Speaker, I rise today to express my strong support for this bill.

Mr. Speaker, in the 105th Congress I proposed legislation which sought to provide educational assistance for the families of all fallen officers.

Though we were not able to fully achieve this objective, with the help of my colleagues on the Committee on the Judiciary, we took an important first step by enacting legislation which provided assistance to some of these families who have lost their loved ones in the line of duty.

This bill covers not only our police officers but fire people and corrections officers, as well our public safety officers who make our Nation safe.

Today we take action on a proposal to widen the circle of families who are eligible for this assistance. Approval of this bill will mark another significant step in fully recognizing the debt owed to those officers who have given their lives for the sake of all of us.

I urge all of my colleagues to join me in support of this measure. This is something we simply ought to do and we need to do.

I want to thank my colleagues, the gentleman from New York (Mr. KING) in particular, the gentleman from Arkansas (Mr. HUTCHINSON), the gentleman from Virginia (Mr. SCOTT), and the gentleman from Michigan (Mr. STUPAK), for their efforts on behalf of this important issue.

I urge my colleagues to vote for this piece of legislation.

Mr. SCOTT. Mr. Speaker, I reserve the balance of my time.

Mr. HUTCHINSON. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I wish to commend the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Michigan (Mr. STUPAK), as well as the gentlewoman from New York (Mrs. KELLY) and especially the gentleman from New York (Mr. KING), for being such a strong advocate of this legislation but also for being such a strong advocate for law enforcement in general.

This legislation rights a minor wrong, and that is it acknowledges those families that were left out of the original legislation. Despite the good intentions, that first draft clearly left some families out across the country.

I am very proud to represent the folks in Staten Island and Brooklyn and probably represent the most police officers, active and retired, I would bet, in any congressional district in the country. They are my friends. They are my neighbors. But more importantly, they protect us every single day.

It feels like every year I am going to another funeral for a police officer who was killed in the line of duty. And, yeah, it affects the New York City Police Department. It goes to the heart of society. It goes to the heart of these men and women who are willing to risk their lives to protect us. But it also destroys, in part, their families.

I have seen the young boys who lost their fathers to gunshot wounds to the head trying to protect a local community. I have seen mothers who were pregnant expecting their baby when they are burying their father. I have seen families who have four or five or six police officers between two families devastated when a young husband, a young father is killed from some career criminal.

So those are all the things that sometimes we forget that police officers are willing to do for us.

But one thing we do not forget today, with the help of the gentleman from Virginia (Mr. SCOTT) and the gentleman from New York (Mr. KING) and everyone else here today, is to tell those families that may have been left out, the Congress of the United States appreciates what they went through; and if they need help to help their child, we are there for them.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just conclude by saying that when police officers give their lives to protect the rest of us, there is really no limit to what we ought to be willing to give back to that family.

This is a really symbolic gesture. The education of the children means that the next generation has a future. We know what education will do. And this is just one symbolic gesture of our respect and admiration for the courage of police officers and for those that have given the ultimate sacrifice on behalf of the rest of us.

I certainly know of no opposition to the bill and hope it can be passed unanimously.

Mr. Speaker, I yield back the balance of my time.

Mr. HUTCHINSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Arkansas (Mr. HUTCHINSON) that the House suspend the rules and pass the Senate bill, S. 1638.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

LOCAL GOVERNMENT LAW ENFORCEMENT BLOCK GRANTS ACT OF 2000

Mr. HUTCHINSON. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4999) to control crime by providing law enforcement block grants, as amended.

The Clerk read as follows:

H.R. 4999

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Local Government Law Enforcement Block Grants Act of 2000".

SEC. 2. BLOCK GRANT PROGRAM.

(a) PAYMENT AND USE.—

(1) PAYMENT.—The Director of the Bureau of Justice Assistance shall pay to each unit of local government which qualifies for a payment under this Act an amount equal to the sum of any amounts allocated to such unit under this Act for each payment period. The Director shall pay such amount from amounts appropriated to carry out this Act.

(2) USE.—Amounts paid to a unit of local government under this section shall be used by the unit for reducing crime and improving public safety, including but not limited to, 1 or more of the following purposes:

(A)(i) Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel.

(ii) Paying overtime to presently employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel.

(iii) Procuring equipment, technology, and other material directly related to basic law enforcement functions.

(B) Enhancing security measures—

(i) in and around schools; and

(ii) in and around any other facility or location which is considered by the unit of local government to have a special risk for incidents of crime.

(C) Establishing crime prevention programs that may, though not exclusively, involve law enforcement officials and that are intended to discourage, disrupt, or interfere with the commission of criminal activity, including neighborhood watch and citizen patrol programs, sexual assault and domestic violence programs, and programs intended to prevent juvenile crime.

(D) Establishing or supporting drug courts.

(E) Establishing early intervention and prevention programs for juveniles to reduce or eliminate crime.

(F) Enhancing the adjudication process of cases involving violent offenders, including the adjudication process of cases involving violent juvenile offenders.

(G) Enhancing programs under subpart 1 of part E of the Omnibus Crime Control and Safe Streets Act of 1968.

(H) Establishing cooperative task forces between adjoining units of local government to work cooperatively to prevent and combat criminal activity, particularly criminal activity that is exacerbated by drug or gang-related involvement.

(I) Establishing a multijurisdictional task force, particularly in rural areas, composed of law enforcement officials representing units of local government, that works with Federal law enforcement officials to prevent and control crime.

(3) DEFINITIONS.—For purposes of this subsection—

(A) the term "violent offender" means a person charged with committing a part I violent crime; and

(B) the term "drug courts" means a program that involves—

(i) continuing judicial supervision over offenders with substance abuse problems who are not violent offenders; and

(ii) the integrated administration of other sanctions and services, which shall include—

(I) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

(II) substance abuse treatment for each participant;

(III) probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on non-compliance with program requirements or failure to show satisfactory progress; and

(IV) programmatic, offender management, and aftercare services such as relapse prevention, vocational job training, job placement, and housing placement.

(b) PROHIBITED USES.—Notwithstanding any other provision of this Act, a unit of local government may not expend any of the funds provided under this Act to purchase, lease, rent, or otherwise acquire—

(1) tanks or armored personnel carriers;

(2) fixed wing aircraft;

(3) limousines;

(4) real estate;

(5) yachts;

(6) consultants; or

(7) vehicles not primarily used for law enforcement;

unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of funds for such purposes essential to the maintenance of public safety and good order in such unit of local government.

(c) TIMING OF PAYMENTS.—The Director shall pay each unit of local government that has submitted an application under this Act not later than—

(1) 90 days after the date that the amount is available, or

(2) the first day of the payment period if the unit of local government has provided the Director with the assurances required by section 4(c), whichever is later.

(d) ADJUSTMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Director shall adjust a payment under this Act to a unit of local government to the extent that a prior payment to the unit of local government was more or less than the amount required to be paid.

(2) CONSIDERATIONS.—The Director may increase or decrease under this subsection a payment to a unit of local government only if the Director determines the need for the increase or decrease, or if the unit requests the increase or decrease, not later than 1 year after the end of the payment period for which a payment was made.

(e) RESERVATION FOR ADJUSTMENT.—The Director may reserve a percentage of not more than 2 percent of the amount under this section for a payment period for all units of local government in a State if the Director considers the reserve is necessary to ensure the availability of sufficient amounts to pay adjustments after the final allocation of amounts among the units of local government in the State.

(f) REPAYMENT OF UNEXPENDED AMOUNTS.—

(1) REPAYMENT REQUIRED.—A unit of local government shall repay to the Director, by not later than 27 months after receipt of funds from the Director, any amount that is—

(A) paid to the unit from amounts appropriated under the authority of this section; and